IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 2766 of 2007(D)

PETITIONER:

SADIQ ALI K.C.,
AGED 34 YEARS, S/O.P.C.KUNJUMARAKKAR,
CHAIRAVATTATH PADINJARETHIL, VADAKKEKADU,
CHAVAKKAD, THRISSUR.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

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1. STATE OF KEALA,
REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAURAM.

2. DIRECTOR GENERAL OF POLICE,
(LAW AND ORDER), POLICE HEADQUARTERS,
VAZHUTHAKKADU, THIRUVANANTHAPURAM.

3. SUPERINTENDENT OF POLICE,
THRISSUR.

4. DEPUTY INSPECTOR GENERAL OF POLICE,
THRISSUR.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.2766 OF 2007

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE COPY OF THE COMPLAINT DATED 25/6/2006 SUBMITTED BY THE PETITIONER TO THE DY.S.P.

EXT.P2:- TRUE COPY OF THE MEDICAL CERTIFICATE PREPARED BY THE DOCTOR ON 26/6/2006.

EXT.P3:- TRUE COPY OF THE COMPLAINT DATED 13/7/2006 SUBMITTED BY THE PETITIONER TO THE DIRECTOR GENERAL OF POLICE.

EXT.P4:- TRUE COPY OF THE CORRECTED PETITION DATED 19/8/2006 BY THE PETITIONER TO THE HOME MINISTER.

EXT.P6:- TRUE COPY OF THE NEWS ITEM WHICH APPEARED IN MADHYAMAM DAILY DATED 28/6/2006.

EXT.P7:- TRUE COPY OF THE NEWS ITEM PUBLISHED IN MANGALAM DAILY DATED 28/6/2006.

EXT.P8:- TRUE COPY OF THE NEWS ITEM APPEARED IN OPEN PAGE DATED 28/6/2006.

EXT.P9:- TRUE COPY OF NEWS ITEM PUBLISHED IN THE MALAYALA MANORAMA DAILY DATED 28/6/2006.

[TRUE COPY]

R.BASANT, J

W.P.C.No.2766 of 2007

Dated this the 2nd day of July 2007

JUDGMENT

Statement of the Director General of Police has been received. Circular No.13/07 dated 25/6/2007 has been issued now, in pursuance of the directions in Balachandran v. State of Kerala [2000(2) KLT 352], it is reported. The grievance of the petitioner has already been redressed in as much as a crime has been registered on his complaint as Crime No.477/07 of Kunnamkulam police station. I am satisfied, in these circumstances, that no further directions are necessary in the matter now.

2. This writ petition is in these circumstances, dismissed as agreed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006

The learned Public Prosecutor again prays for time only. The learned Public Prosecutor shall take instructions from the second respondent and appraise this court whether any directions has been issued to subordinate police officials in pursuance of the directions issued to him in Balachandran v. State of Kerala [2000(2) KLT 352]. The learned Public Prosecutor shall also make his submission before this court as to whether the course adopted by the officers of registering the complaint as a petition and conducting only an enquiry without registering any crime is correct or not and what further corrective action is proposed to be taken.

Call on 28/03/2007.

Hand over copy of this order to the learned Public Prosecutor.